

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:

WILLIAM H. FITZGERALD

Debtor

Case No. 5-17-04313

Chapter 13

John J. Thomas, B.J.

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**DEBTOR'S MOTION TO CONVERT TO CHAPTER 7**

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AND NOW, comes the Debtor, by and through his attorney, Brian E. Manning, Esquire, and files the following Motion and in support thereof alleges :

1. The instant case was commenced by the filing of a voluntary Petition for Relief under Chapter 13 of the Bankruptcy Code on October 16, 2017.
2. The Debtor desires to Convert his case to a proceeding under Chapter 7 because he has suffered a significant decrease in income which renders him unable to fund a feasible Plan. In fact, if the case were filed today, the Debtor would have qualified to file the case as a Chapter 7 proceeding.
3. The instant case was not previously converted from any other Chapter.
4. The Debtor is eligible to be a Debtor under Chapter 7 of the Bankruptcy Code and pursuant to 11 U.S.C. § 1307(a) he has the right to seek conversion to Chapter 7.

5. Notice of the instant Motion is being provided to the Chapter 13 Trustee and the Office of the United States Trustee via ECF.

WHEREFORE, the Debtor respectfully requests that this Court enter an order converting the Case to Chapter 7, and that he be granted such other and further relief as the court deems just and appropriate under the circumstances.

Respectfully Submitted  
**Law Offices of Brian E. Manning**  
/s/ Brian E. Manning  
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Dated: July 6, 2018

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**ORDER GRANTING DEBTOR'S MOTION TO CONVERT TO  
CHAPTER 7**

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AND NOW, upon consideration of the Motion of the Debtor to Convert to Chapter 7, the Motion is GRANTED and the case is converted to a proceeding under Chapter 7.